S.B.Cr.Misc. Bail App. No. 5032/2007
(Mangi Lal Vs. State of Rajasthan)

Date of order : 11/10/2007

**HON'BLE MR.H.R.PANWAR, J.**

Mr. Ramesh Purohit for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioner that the only evidence against the petitioner and other co-accused is the statement of Smt. Nanu widow of Nana, aged 70 years. Learned counsel submits that the allegation against the present petitioner and co-accused Smt. Nandu Balai, Ram Balai and Nagji are similar. Smt. Nandu and Nagji have been granted bail by Co-ordinate Bench of this Court vide orders dated 16.8.2007 and 14.8.2007 respectively and the case of the present petitioner is not distinguishable from that of the co-accused. Learned public prosecutor also does not dispute the similarity of the case of the petitioner to that of the co-accused who have been granted bail.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mangi Lal S/o Deva be released on bail in FIR No. 84/2007 P.S. Hamirgarh, district Bhilwara, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

**(H.R.PANWAR), J.**

**RP**